

THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:14-cv-00194-D

CHITARRA
CARMICHAEL HERRING,

Plaintiff,

v.

CAROLYN W. COLVIN,
Acting Commissioner
of Social Security,

Defendant.

ORDER REGARDING
ATTORNEY FEES UNDER THE
EQUAL ACCESS TO JUSTICE ACT,
28 U.S.C. § 2412(d)

Upon the stipulation of the parties, it is ORDERED that Defendant pay Plaintiff \$4,300.00 in attorney's fees in full satisfaction of any and all claims arising under the Equal Access to Justice Act, 28 U.S.C. § 2412. If the award to Plaintiff is not subject to the Treasury Offset Program, payment will be made payable to Plaintiff, and mailed to Plaintiff's counsel.

Pursuant to *Comm'r of Soc. Sec. v. Ratliff*, 560 U.S. 2521, 130 S. Ct. 2521, 177 L. Ed. 2d 91 (2010), the fee award will first be subject to offset of any debt Plaintiff may owe to the United States. Defendant will determine whether Plaintiff owes a debt to the United States. If so, the debt will be satisfied first, and if any funds remain, they will be made payable to Plaintiff and mailed to Plaintiff's attorney. If the United States Department of the Treasury reports to the Commissioner that Plaintiff does not owe a federal debt, the full fee will be made payable to Plaintiff and mailed to Plaintiff's attorney.

SO ORDERED. This 12 day of February 2016.


JAMES C. DEVER III
Chief United States District Judge